IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION

IN RE: ETHICON, INC.,
PELVIC REPAIR SYSTEMS
PRODUCTS LIABILITY LITIGATION

MDL NO. 2327

THIS DOCUMENT RELATES TO ALL CASES

JUDGE GOODWIN

APPLICATION OF JERROLD S. PARKER FOR
APPOINTMENT TO PLAINTIFFS' STEERING COMMITTEE

COMES NOW, Jerrold S. Parker, and hereby respectfully submits the within Application for Appointment to the Plaintiffs' Steering Committee. In support of this Application, the undersigned states as follows:

I am a native New Yorker and a graduate of Queens College of the City University of New York where I received a Bachelor of Arts degree in 1975, followed by a Juris Doctorate from St. John's University School of Law in 1983. I was admitted to the Bar of the State of New York in 1984 and remain a member in good standing. A copy of a Certificate of Good Standing from the Appellate Division of the Supreme Court of the State of New York, Second Judicial Department, is attached hereto as Exhibit 1. I am additionally admitted to practice in the United States District Court for the Southern, Eastern and Northern Districts of New York; the State of New Jersey; the United States District Court for the District of New Jersey; the District of Columbia; and the United States Supreme Court. I have a Martindale-Hubbell rating of "AV® Preeminent™ 5.0 out of 5" and have been voted by my peers into Best Lawyers® for Personal Injury Litigation.

Beginning in 1993, I founded the firm known as Parker Waichman LLP, which is nationally recognized as a leader in the field of personal injury negligence law and mass tort litigation, and represents plaintiffs in complex and serious litigation including mass torts, multidistrict litigation and class action matters. My law firm has a reputation as a go-to firm for firms seeking co-counsel in many mass tort litigations. Parker Waichman is one of the largest plaintiffs' personal injury law firm in New York State with a staff of approximately 130..

My practice over the past nearly thirty years has been devoted almost entirely to civil litigation. During that time, my firm and I have been involved in numerous successful class action matters and multidistrict litigations. Notably, I have considerable experience in serving on Plaintiffs' Steering Committees. I have been or am presently a member of the following Plaintiffs' Steering Committees: Executive Committee of the Plaintiffs' Steering Committee for the Prozac Multidistrict Litigation No. 907; Plaintiffs' Steering Committee for the World Trade Center Bombing Litigation (New York State Court Centralized); Plaintiffs' Steering Committee and Discovery Subcommittee for the Zyprexa Multidistrict Litigation No. 1596; Executive Committee of the Plaintiffs' Steering Committee for the Ortho Evra Products Liability Multi District Litigation No.1742; Plaintiffs' Steering Committee for the Kugel Mesh Multidistrict Litigation No. 1842; Plaintiffs' Steering Committee for the New York State Bausch & Lomb ReNu with MoistureLoc Litigation (New York State Centralized); Plaintiffs' Steering Committee for the Gadolinium Multidistrict Litigation No. 1909; Co-Chair, Discovery Committee for the Vytorin Multidistrict Litigation No. 1938; Plaintiffs' Steering Committee for the Chinese-Manufactured Drywall Multidistrict Litigation No. 2047; Plaintiffs' Steering Committee for the Kaba Keyless Pushbutton Lock Multidistrict Litigation No. 2220, Plaintiffs' Steering Committee for the DePuy Orthopaedics, Inc. Pinnacle Hip Implant Multidistrict Litigation No. 2244; and the Plaintiffs' Steering Committee for the Actos (Pioglitazone) Products Liability Litigation, Multidistrict Litigation No. 2299.

My firm and I pride ourselves on staying abreast of trends and developments in the law so that our clients can reap the benefits of any changes in the law or new interpretations of existing law. We have met the challenges presented by today's landmark cases by winning precedent setting victories by advocating new theories of liability and recovery as well as by fostering groundbreaking legislation in some of the most significant cases of our time. In this regard, an area of significant importance is that of e-discovery with respect to electronically stored information (ESI). Our firm has a particular expertise in ESI matters, and is oftentimes sought out by our colleagues to give advice regarding ESI issues as they relate to discovery matters. Our firm is currently the electronic depository for several Plaintiffs' Steering Committees. I am currently the Chair of the IT Sub-Committee in the Chinese Drywall PSC as well as the point person for IT in the newly centralized Actos MDL.

Moreover, I have spoken nationally at seminars and have been an invited speaker or faculty member at HarrisMartin Darvon and Darvocet Litigation Conference, January 14, 2012, New Orleans, Louisiana; HarrisMartin MDL Conference, Zimmer NexGen Knee and DePuy Hip Implant Litigation, July 27, 2011, San Francisco, California; HarrisMartin DePuy Pinnacle Hip Implant Conference, May, 2011, Louisville, Kentucky; "New Developments in these Emerging Mass Torts," HarrisMartin Darvon and Hip Implant Litigation Conference, March 27, 2011, San Diego, California; "Gulf Oil Spill Environmental Marine Related Litigation," The Louisiana State Bar Association 17th Annual Admiralty Symposium – The Gulf Coast Oil Spill, September 24, 2010, New Orleans, Louisiana; "The Claim Game," HarrisMartin Oil Spill Litigation Conference, June 23, 2010, New Orleans, Louisiana; "Environmental Litigation," The Louisiana State Bar Association Gulf Coast Oil Spill Symposium, May 25, 2010; "ReNu with MoistureLoc Theories of Liability," AAJ Conference, January 29, 2008, San Juan, Puerto Rico; "ReNu with MoistureLoc Down & Dirty," AAJ Conference, October 27, 2007, New York, New York; "Make Your Data Productive Data," Mass Torts Made Perfect, March 20, 2007, Las Vegas, Nevada; "Ortho-Evra Birth Control Patch Litigation TeleConference," American Association for Justice (AAJ), February 14, 2006; "The Ortho-Evra Birth Control Patch and Thrombotic Injuries: What

Patients and Physicians Needed to Know But Were Never Told," Mealey's Emerging Drugs and Devices, January 19, 2006, Volume 11, Issue #2 (Co-author); "Pharmacogenics – New "Tools" in Pharmaceutical Litigation?", Renaissance Esmerelda Resort & Spa, Indian Wells, California, January 30, 2005; "Ride the Internet – Will It Carry You?", Mass Torts Made Perfect, November 17, 2005, Las Vegas, Nevada; and "Ortho Evra Birth Control Patch: Is this the Next Mass Tort?", Mass Torts Made Perfect, November 18, 2005, Las Vegas, Nevada.

I fully support the recommendations submitted by Bryan Aylstock, Harry F. Bell, Henry G. Garrard, III, and Fred Thompson III, in *Plaintiffs' Proposed Organizational Structure*. I have tremendous respect for those included and firmly believe that the collective skill, talent, experience and resources represented by the outstanding individuals identified in the proposed organizational structure will be vital to effectively and efficiently moving this litigation forward. I am confident that their professionalism and leadership skills will serve this MDL extremely well. My firm and I have been active in the Transvaginal Mesh Litigation since its inception through participation in organizational meetings and conference calls. As of the submission of this application, my firm represents plaintiffs in individual matters[1] currently pending in the United States District Court for the Southern District of West Virginia, spanning MDL Nos. 2325, 2326 and 2327.

Your Honor has indicated that the main criteria for membership on the Plaintiffs' Steering Committee will be a willingness and availability to commit to a time consuming project, the ability to work cooperatively with others and professional experience in this type of litigation. Based on my long standing experience spanning several decades in this type of litigation, my ability to expend the time and resources necessary to take this matter through the MDL process, and my ability to collaborate in a productive and cooperative effort with the other firms involved in this litigation as demonstrated by our past experiences, I respectfully request appointment to the Plaintiffs' Steering Committee, and look forward to doing so if so appointed.

Dated: March 29, 2012

Respectfully submitted,

By: __________________________

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[1] *Kerr v. American Medical Systems*, Civil Action No. 2:12-cv-00616; *Ridley v. Boston Scientific*, Civil Action No. 2:12-cv-00606 and *Stone v. Ethicon, Inc., et al*, Civil Action No. 2:12-cv-00652.

CERTIFICATE OF SERVICE

I hereby certify that on March 29, 2012, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all attorneys of record.

/s/ *Jerrold S. Parker*

Appellate Division of the Supreme Court
# of the State of New York
Second Judicial Department

I, Matthew G. Kiernan, Clerk of the Appellate Division of the Supreme Court of the State of New York, Second Judicial Department, do hereby certify that **Jerrold S. Parker** was duly licensed and admitted to practice as an Attorney and Counselor-at-Law in all the courts of the State, according to the laws of the State and the court rules and orders, on the **18 th** day of **January 1984,** has duly taken and subscribed the oath of office prescribed by law, has been enrolled in the Roll of Attorneys and Counselors-at-Law on file in my office, has duly registered with the administrative office of the courts, and according to the records of this court is in good standing as an Attorney and Counselor-at-Law.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Appellate Division on November 02, 2011.

Matthew G. Kiernan

Clerk of the Court